IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 3822 of 2007

ASHA ARORA
V/S
KAILASH CHAND ARORA & ORS.

Mr. ASHOK PATEL, for the appellant / petitioner

Mr. ARJUN PUROHIT, for the respondent

Date of Order : 30.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

By the impugned order, the learned trial Court had dismissed the petitioner's application for amendment of the written-statement. However, both the learned counsel are agreed, to the effect that even without formal amendment, learned trial Court may be permitted to allow the parties to lead evidence on the pleadings as incorporated in the application for amendment and in its reply treating them to be part of the pleadings and to proceed with the trial expeditiously.

Accordingly, the writ petition is disposed of with the direction to the learned trial Court to consider the stands taken in the amendment application and its reply with respect to the respective pleadings of the parties and to allow the parties to lead evidence on these aspects and to decide the matter most expeditiously.

(N P GUPTA),J.

/tarun/